

From: [Lewis, Hannah](#)
To: deberning_esealcohol.com
Cc: [Barton, Kasey](#); [Buckner, Edwin](#)
Subject: RE: CBI Substantiation Request
Date: Thursday, December 16, 2021 10:29:32 AM
Attachments: [image001.png](#)

Mr. Berning,

This is a follow-up to our conversation from yesterday. You mentioned that you are unable to hire an attorney to assist with responding to the CBI substantiation Letter. Please note that while you may hire an attorney, you may also respond to the substantiation questions on your own. If you choose not to respond to the Letter by close of business tomorrow, December 17, 2021, EPA will regard your failure to respond as a waiver of your confidentiality claims and may make the information available to the public. This is the last notice you will receive regarding this matter.

Hannah Lewis
US EPA Region 7
ECAD Water Branch
Lenexa, KS
913-551-7679

From: Lewis, Hannah
Sent: Monday, December 13, 2021 7:20 AM
To: deberning_esealcohol.com <deberning@esealcohol.com>
Cc: Barton, Kasey <Barton.Kasey@epa.gov>; Buckner, Edwin <Buckner.Edwin@epa.gov>
Subject: RE: CBI Substantiation Request

Mr. Berning,

The attached CBI Substantiation Letter was sent you to on November 10, 2021 with a **response due date of November 25, 2021**. EPA has not received a response from ESE answering the questions included in the letter. For each item or class of information that you claim as CBI, you must submit answers to the eleven questions listed in the letter. Once we receive the responses to the questions, EPA will evaluate whether the documents you submitted have been shown to be entitled to confidential treatment. If no response is received, the information you provided may be made available to the public without further notice.

Hannah Lewis
US EPA Region 7
ECAD Water Branch
Lenexa, KS

913-551-7679

From: Buckner, Edwin <Buckner.Edwin@epa.gov>
Sent: Wednesday, November 10, 2021 3:30 PM
To: deberning esearch.com <deberning@esearch.com>
Cc: Barton, Kasey <Barton.Kasey@epa.gov>; Lewis, Hannah <Lewis.Hannah@epa.gov>
Subject: CBI Substantiation Request
Importance: High

Mr. Berning,

Please see the attached letter asking ESE Alcohol to substantiate its confidential business information claims on documents and information submitted to the EPA. Note that the letter sets some deadlines for the response.

Thank you for your attention to this matter.

Edwin G. Buckner, PE
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Chemical Branch, Enforcement and Compliance Assurance Division
EPA Region 7
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